

IN RE: PETITION FOR ADMINISTRATIVE VARIANCE
R/S Resh Mill Road, 740' S of
the c/l of Graves Run Road
(19504 Resh Mill Road)
6th Election District
3rd Councilmanic District
George H. Woodward, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-195-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the owners of the subject property, George H. and Doris C. Woodward. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14 day of December, 1993 that the Petition for Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

December 8, 1993

(410) 887-4386

Mr. & Mrs. George H. Woodward
19504 Resh Mill Road
Hampstead, Maryland 21074

RE: PETITION FOR ADMINISTRATIVE VARIANCE
R/S Resh Mill Road, 740' S of the c/l of Graves Run Road
(19504 Resh Mill Road)
6th Election District - 3rd Councilmanic District
George H. Woodward, et ux - Petitioners
Case No. 94-195-A

Dear Mr. & Mrs. Woodward:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,
Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 19504 Resh Mill Rd, Hampstead, MD
which is presently zoned PC 4

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property, affirms that the information provided in this petition and the attached exhibits is true and correct. The undersigned hereby certifies that the information provided in this petition and the attached exhibits is true and correct. The undersigned hereby certifies that the information provided in this petition and the attached exhibits is true and correct.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: indicate hardship or practical difficulty.

See Affidavit on Reversed side.

Property is to be posted and advertised as prescribed by Zoning Regulations. The undersigned, legal owner(s) of the property, affirms that the information provided in this petition and the attached exhibits is true and correct. The undersigned hereby certifies that the information provided in this petition and the attached exhibits is true and correct. The undersigned hereby certifies that the information provided in this petition and the attached exhibits is true and correct.

Contact Person Name: George H. Woodward
Type of Petition: Administrative Variance
Signature: George H. Woodward
Address: 19504 Resh Mill Rd, Hampstead, MD 21074
City: Hampstead State: MD Zip: 21074
Attorney for Petitioner: Timothy M. Kotroco
Type of Petition: Administrative Variance
Signature: Timothy M. Kotroco
Address: 400 Washington Ave, Suite 113, Towson, MD 21204
City: Towson State: MD Zip: 21204

ORDER RECEIVED FOR FILING
Date: 12/8/93
By: [Signature]

RECEIVED BY: [Signature] DATE: 11/5/93
ESTIMATED POSTING DATE: _____

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 6th Date of Posting: 11/1/93
Posted for: George H. Woodward
Petitioner: George H. Woodward
Location of property: 19504 Resh Mill Rd, Hampstead, MD 21074
Location of Sign: Along road, on property, by sign
Remarks: [Signature]
Posted by: [Signature] Date of return: 11/1/93
Number of Signs: 1

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 19504 Resh Mill Rd, Hampstead, MD 21074

That based upon personal knowledge, the following are the facts upon which I base the request for an Administrative Variance at the above address: because variance is practical difficulty

WE HAVE CONTRACTED VALL DU OF WHITEHALL, MD (LICENSE 19559) TO ERECT A GARAGE (PER SPECS IN HIS POSSESSION) THAT IS NEEDED TO HOUSE ONE CAR, ONE PICK-UP TRUCK, TRACTOR & MISC. GARDEN TOOLS FROM THE WEATHER. THIS LOCATION (SEE PHOTOS) FORMERLY WERE THREE POORLY CONSTRUCTED SHEDS.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

George H. Woodward [Signature]
George H. Woodward [Signature]
State of Maryland, County of Baltimore, to wit:

I HEREBY CERTIFY, this 4th day of November, 1993, before me, a Notary Public of the State of Maryland, and for the County aforesaid, personally appeared

George H. and Doris C. Woodward

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal

11/4/93

[Signature]
My Commission Expires: 12/10/96

EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 19504 RESH MILL RD
Election District 6 Councilmanic District 3

Beginning at a point on the WEST side of RESH MILL RD
(north, south, east or west)

which is 16' (number of feet of right-of-way width)
(street on which property fronts)

wide at a distance of 740' SOUTH of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street: Graves Run Rd.
(name of street)

which is 18' wide. "Being lot # _____"
(number of feet of right-of-way width)

Block _____, Section _____ in the subdivision of _____
(name of subdivision) as recorded in Baltimore County Plat

Book # _____, Folio # _____, containing
51,487.92 3 1.183
(square feet and acres)

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber _____, Folio _____" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E. 87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

#199

Zoning Description For: 19504 Resh Mill Rd, Hampstead, MD 21074

Election District 6th Councilmanic District 3rd

As recorded in Deed Liber 10053 Folio 562 dated 10/6/93

N.46° 57' 30" E. 66 ft., S. 04° 57' 30" 300 ft to a point, continuing on same line S. 10° 50' E. 168.9 ft., S. 79° 10' W. 195.02 ft., N. 12° 30' E. 465.63 ft to the place of beginning.

Acres 1.182

Sq. Ft. 51,487.92

94-195-A

#199



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Item 199

Taken: JM/SF

Account: R-001-0180

Date: 11-5-93 94-195-A

GEORGE WOODWARD 19504 Resh Mill Rd.
Admin. Var. (010) 50.00
Posting (080) 35.00
85.00

03AD1804-31010C
DA C02157M11-09-93
Please Make Checks Payable To Baltimore County

\$85.00

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:
Item No.: 95
Petitioner: GEORGE WOODWARD
Location: 19504 Resh Mill Rd., Hampstead, Md. 21074
PLEASE FORWARD ADVERTISING BILL TO:
NAME: SAME
ADDRESS: _____
PHONE NUMBER: 374-2280

AL:qgs (Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

November 26, 1993

Mr. and Mrs. George H. Woodward
19504 Resh Mill Road
Hampstead, Maryland 21074

RE: Case No. 94-195-A, Item No. 199
Petitioner: George H. Woodward, et al
Petition for Administrative Variance

Dear Mr. and Mrs. Woodward:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on November 5, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

11-12-93

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 94-195-A (JCH/JRF)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
for *DAVID H. LAMM, JR., P.E., Chief*
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: November 15, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 187, 191, 195, 196, 197, 198 and 199.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-1486.

Prepared by: *Jeffrey W. Long*
Division Chief: _____
PK/JL:lw

ZAC 187/PZONE/ZAC1

Baltimore County Government
Department of Permits and Licenses

111 West Chesapeake Avenue
Towson, MD 21204

NOVEMBER 18, 1993 (410) 887-3610

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

MEETING OF NOVEMBER 15, 1993

Property Owner: Roger Wadkins and Beatrice K. Wadkins
Location: #1630 Cape May Road
Item No.: 190 (JRF)

Property Owner: Catherine C. Deen & Holly Lee Deen
Location: #11823 Manor Road
Item No.: 193 (JCH)

Property Owner: Charles Michael Thomas & Catherine A. Thomas
Location: #9 Graveswood Road
Item No.: *194 (WCR)

Property Owner: Michael J. Biller & Pamela M. Biller
Location: #2311 Shaded Brook Drive
Item No.: *195 (JRF)

Property Owner: Edward C. Byrnes & Lisa S. Byrnes
Location: #1710 Kurtz Avenue
Item No.: *196 (JJS)

Property Owner: Sylvester W. Applebaum and
Dorothy J. Applebaum
Location: #401 Oak Forest Avenue
Item No.: *197 (JJS)

Property Owner: Carolyn H. Robinson & Timothy W. Robinson
Location: #2212 Dalewood Road
Item No.: *198 (RT)

Property Owner: George H. Woodward & Doris C. Woodward
Location: #19504 Resh Mill Road
Item No.: *199 (JCH/JRF)

Gentlemen:

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

NOVEMBER 10, 1993

NOTICE OF CASE NUMBER ASSIGNMENT

TO: George H. Woodward and Doris C. Woodward
19504 Resh Mill Road
Hampstead, Maryland 21074

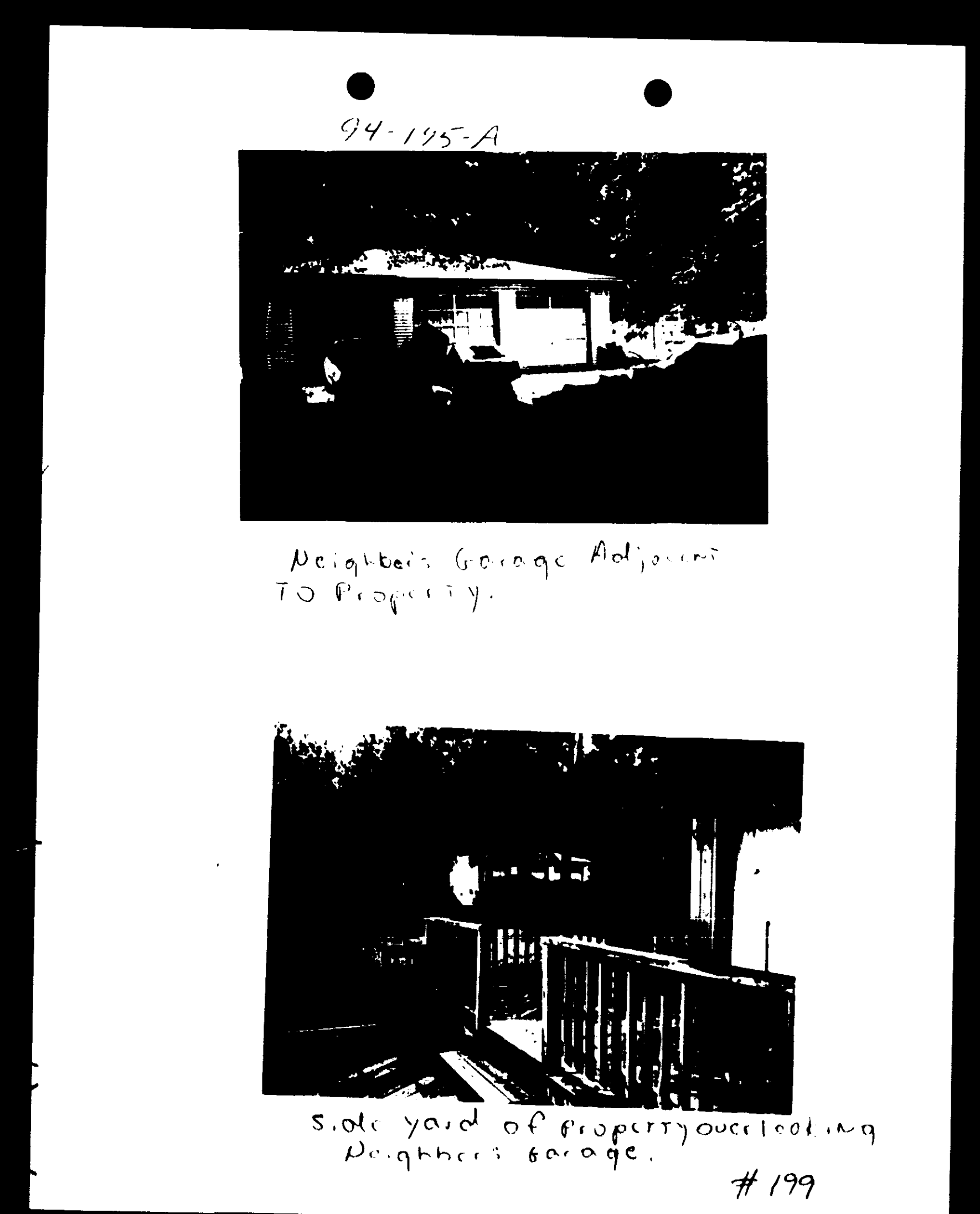
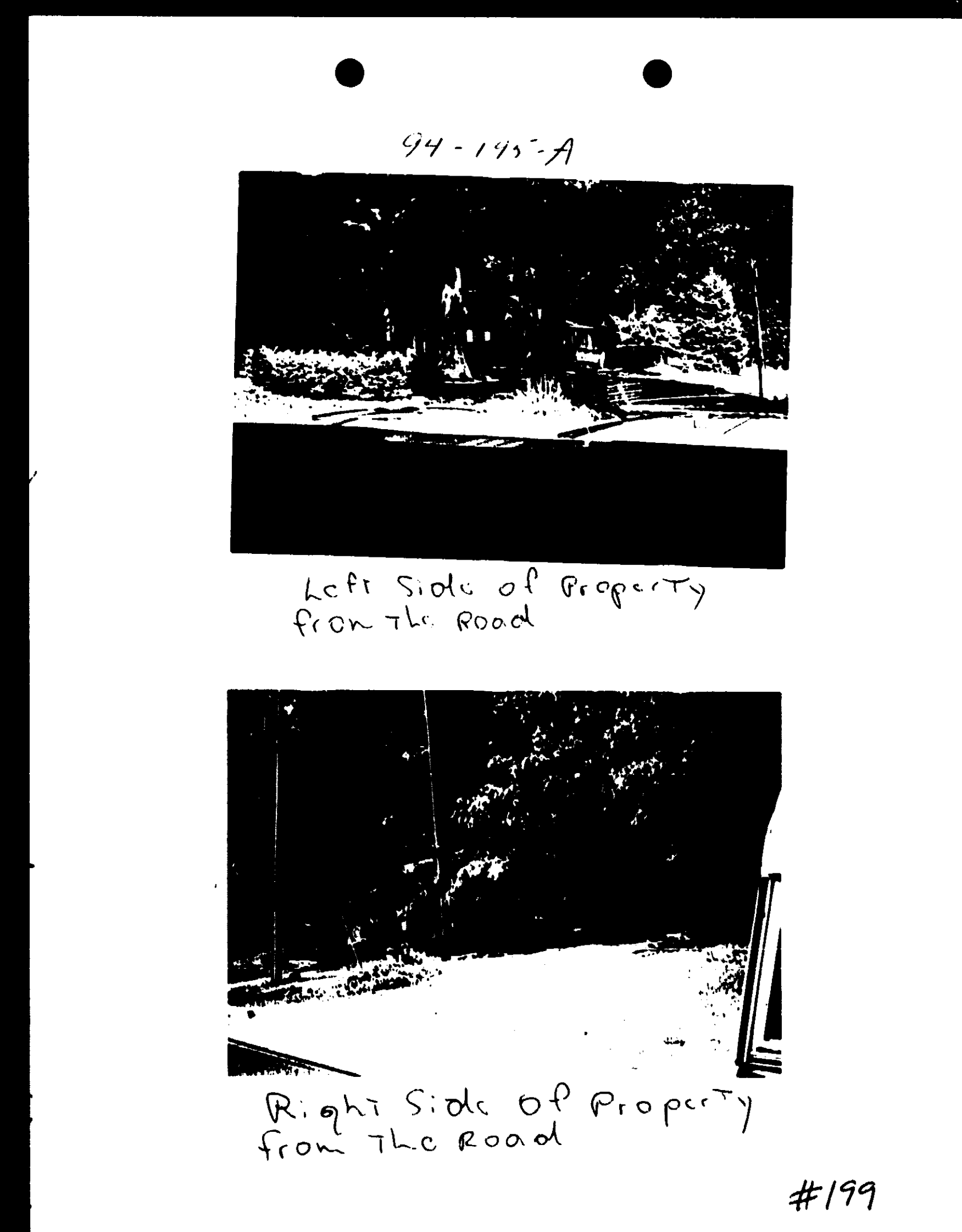
Re: CASE NUMBER: 94-195-A (Item 199)
19504 Resh Mill Road
E/S Resh Mill Road, 740' +/- S of c/l Graves Run Road
6th Election District - 3rd Councilmanic

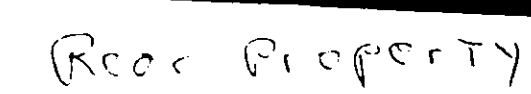
Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3353. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before November 21, 1993. The closing date (December 6, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

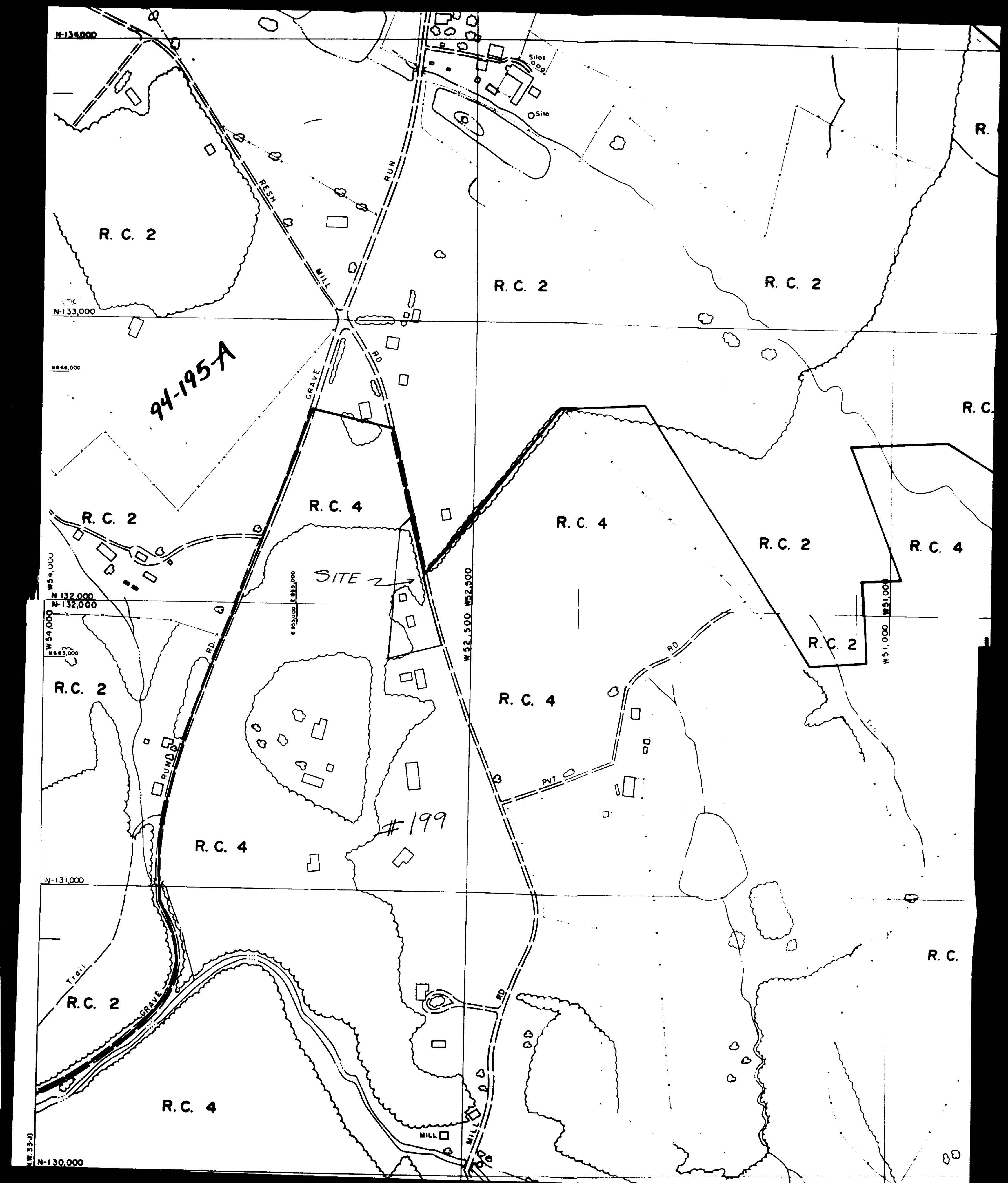
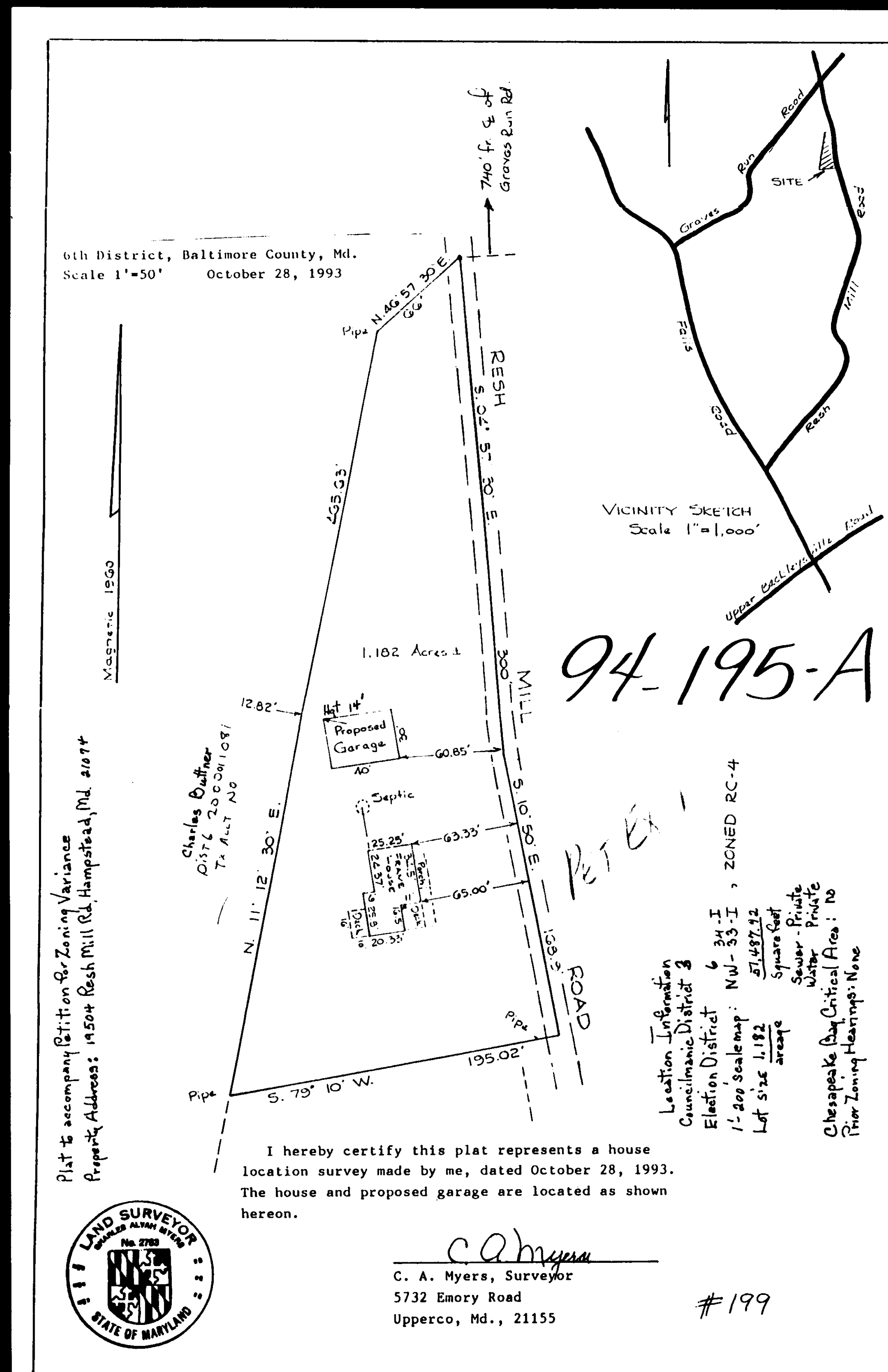
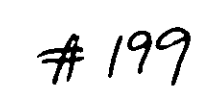
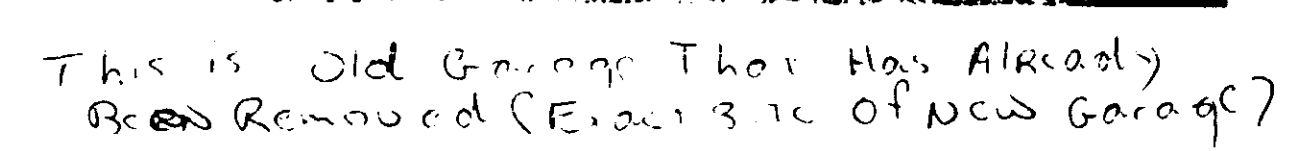
PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

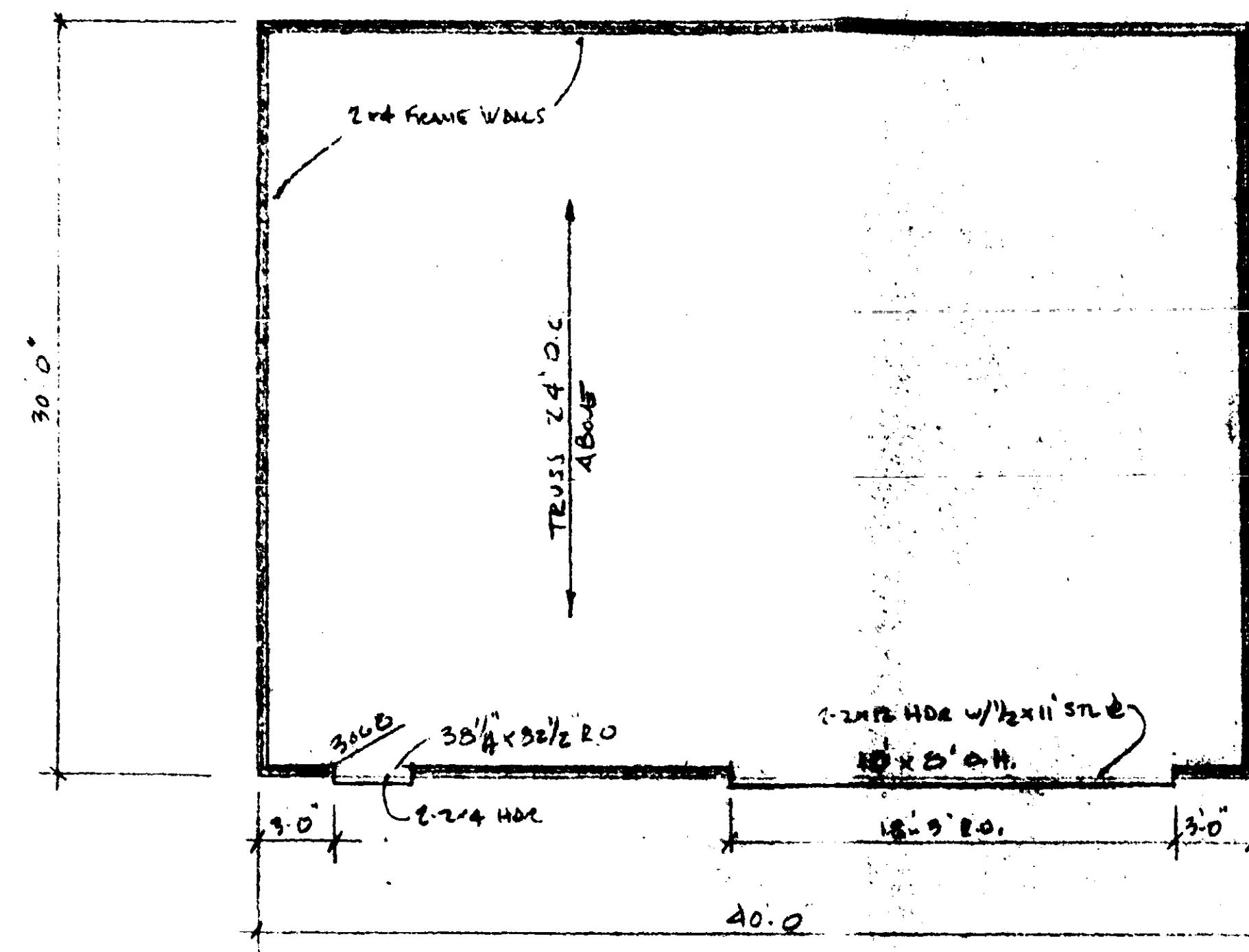
Arnold Jablon
Arnold Jablon
Director



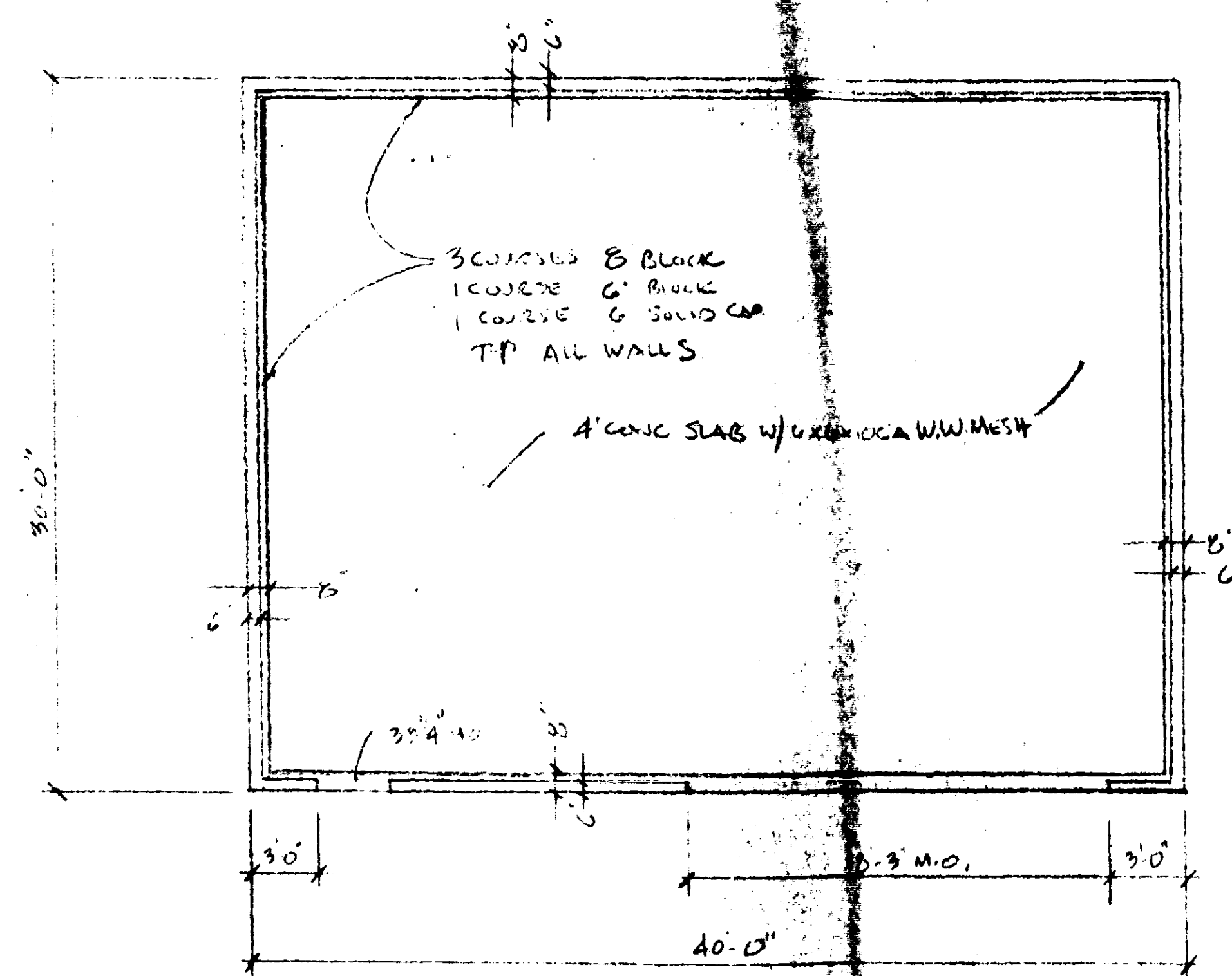


199

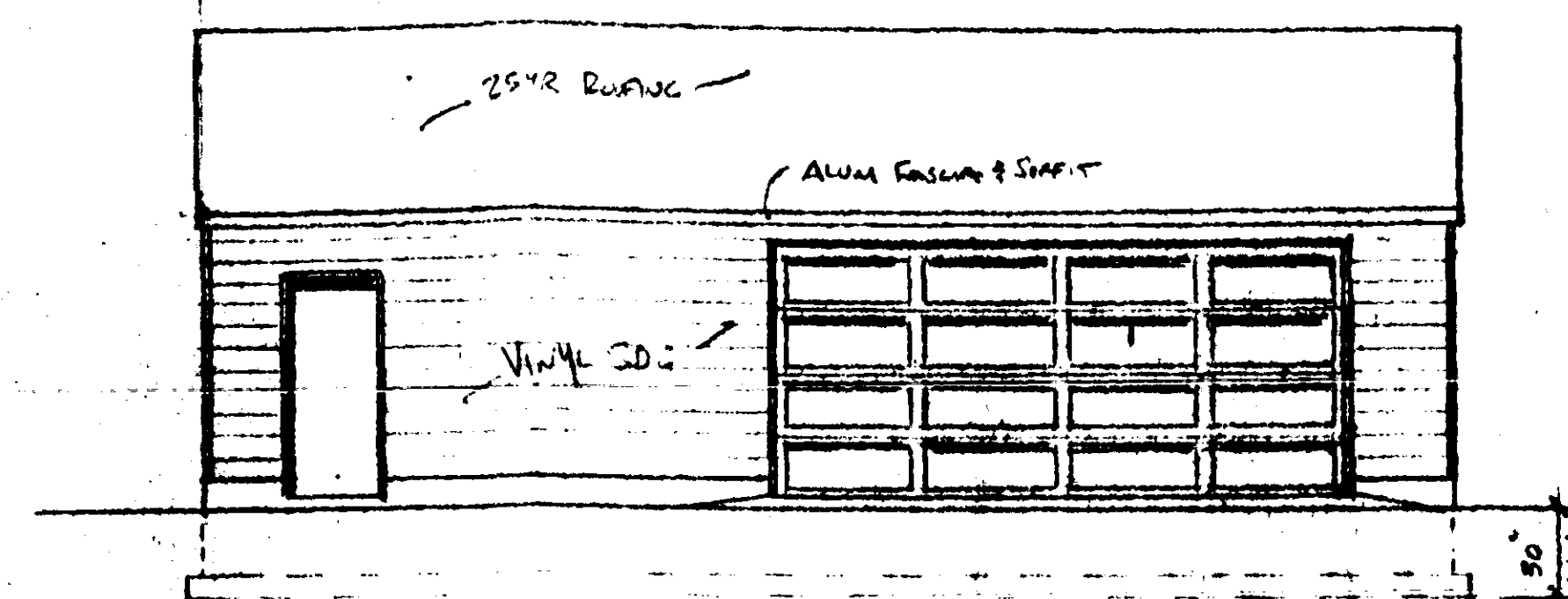




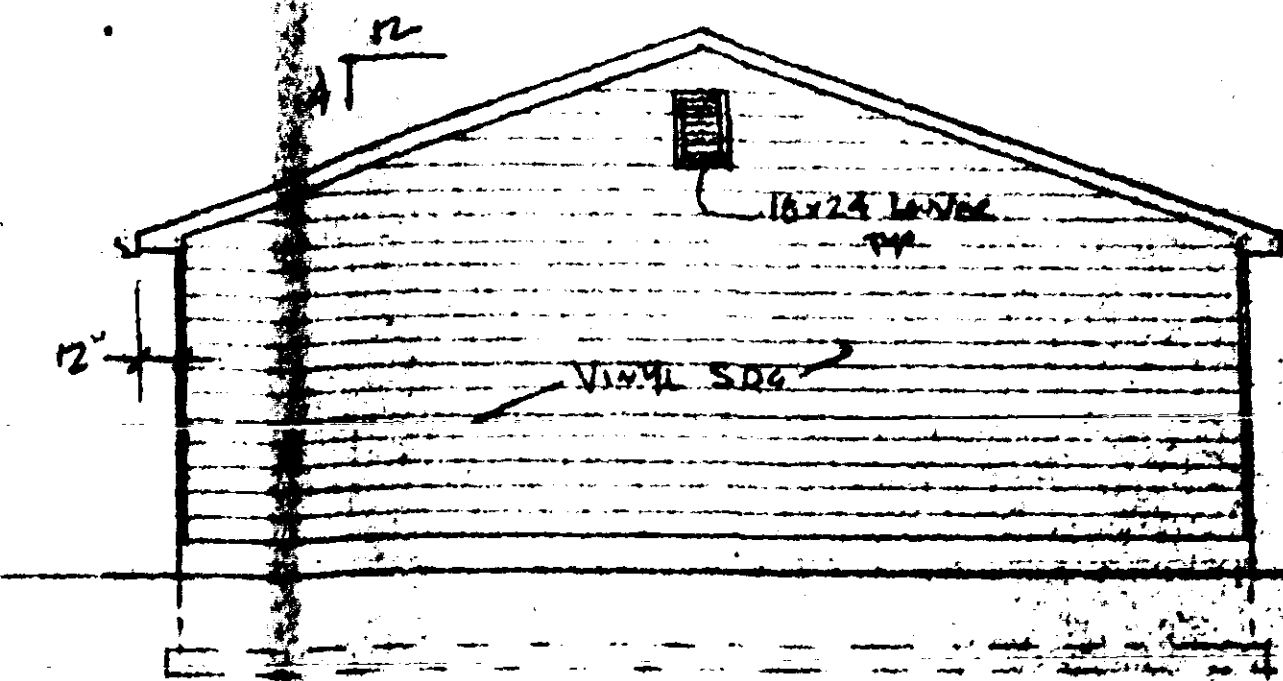
FLOOR PLAN



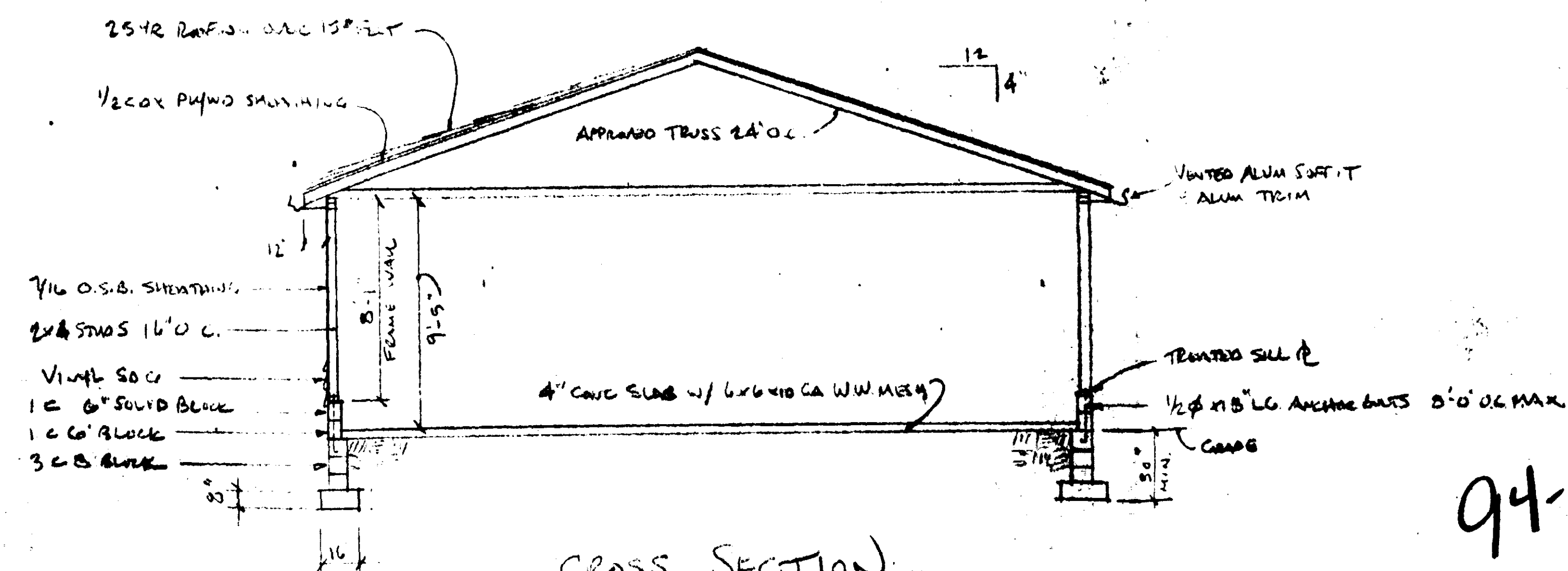
FOUNDATION PLAN



FRONT ELEVATION



TYP. END ELEVATION



CROSS SECTION

SLAB 1/4" = 1'-0"

NOTE:

1. LUMBER TO BE HEM-FIR #2 OR BETTER
2. ALL DIM. SHOWN ARE PER PLAN
3. ALL DIM. MUST BE CONFIRMED BY BUILDING CONTRACTOR BEFORE STARTING CONSTRUCTION

94-195-A
#199

BALL-DUE CONSTRUCTION	
WHITE HALL, MAINE 04991	
SCALE 1/4" = 1'-0"	
DATE 10/1/88	
PROJECT NO.	
40' x 30' CONCRETE	